

SUMMARY: The Service is adding the Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*) to the List of Endangered and Threatened Wildlife. This measure, required by the Endangered Species Act of 1973 corresponds with a final determination of threatened status by the National Marine Fisheries Service, which has jurisdiction for the winter-run chinook salmon.

EFFECTIVE DATE: November 30, 1990.

FOR FURTHER INFORMATION CONTACT: Dr. Ralph Morgenweck, Assistant Director for Fish and Wildlife Enhancement Conservation, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, DC 20240 (703/343-4646).

SUPPLEMENTARY INFORMATION: Under the Endangered Species Act (16 U.S.C. 1531 et seq.), and in accordance with Reorganization Plan No. 4 of 1970, the National Marine Fisheries Services (NMFS), National Oceanic and Atmospheric Administration, Department of Commerce, is responsible for the Sacramento River winter-run Chinook salmon. Under section 4(a)(2) of the Act, NMFS must decide whether a species under its jurisdiction should be classified as endangered or threatened. The Fish and Wildlife Service (FWS) is responsible for the actual addition of a species to the List of Endangered and Threatened Wildlife in 50 CFR 17.11(h).

In the November 4, 1990 issue of the *Federal Register* (55 FR 46515), NMFS is publishing its determination of threatened status for the Sacramento River winter-run Chinook salmon. Accordingly, the FWS is concurrently adding the Sacramento River winter-run Chinook salmon as a threatened species to the List of Endangered and Threatened Wildlife. Because this FWS action is nondiscretionary and the species is already listed under an emergency rule (55 FR 12191), the FWS finds that good cause exists to omit the notice and public comment procedures of 5 U.S.C. 553(b).

National Environmental Policy Act

The FWS also has determined that an Environmental Assessment under the National Environmental Policy Act of 1969 does not need to be prepared in regard to regulations adopted under section 4(a) of the Act. A notice outlining the reasons for this determination was published in the *Federal Register* on October 25, 1985 (48 FR 49244).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Regulation Promulgation

Accordingly, part 17, subchapter B of chapter 1, title 50 of the Code of Federal Regulations, is amended as set forth below:

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500; unless otherwise noted.

§ 17.11 [Amended]

2. Section 17.11 (h) is amended by revising the "When listed" column entry for "Salmon, chinook" in the List of Endangered and Threatened Wildlife under "FISHES" to read: "383E, 407".

Dated: November 26, 1990.

Bruce Blanchard,

Acting Director, Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB41

Endangered and Threatened Wildlife and Plants; Listing of the Sacramento River Winter-run Chinook Salmon as Threatened

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.